

WILBORN LAW OFFICE, P.C.  
TIM WILBORN, Attorney at Law — OSB # 944644  
twilborn@mindspring.com  
P.O. Box 2768  
Oregon City, OR 97045  
Voice: (503) 632-1120  
Fax: (503) 632-1198  
Attorney for Plaintiff

FILED 10 MAY 13 15:51 USDC-ORP

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

**DAVID MILLER,**

CV # 07-267-JE

Plaintiff,

vs.

ORDER

**COMMISSIONER of Social Security,**

Defendant.

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Attorney fees in the amount of \$9,264.32 are hereby awarded to Plaintiff's attorney pursuant to 42 U.S.C. § 406(b). The court finds this is a reasonable fee. Previously, this court awarded \$8,250.00, pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. When issuing the § 406(b) check, the agency is directed to subtract the amount previously awarded under the EAJA, and to send to Plaintiff's attorney **at his current address shown above** the balance of \$1,014.32, minus any user fee. Any amount withheld (including the EAJA fee offset) after all administrative and court attorneys fees are paid should be released to the claimant.

DATED this 13 day of May, 2010.

  
United States District Magistrate Judge

Presented by:  
s/ Tim Wilborn, OSB # 944644  
(503) 632-1120  
Attorney for Plaintiff